T.D. INFORMAL MEMO: DO NOT MAIL THIS MEMO TO APPLICANT

Date:			09-Jan-08	APPL. S. N:	10782779			
To Exam	iner:		DEBELIE, MITIKU	Art Unit	2621			
From			Jefferson, Henry PARALEGAL SPCECIALIST	Return This Memo To: Case Drop-Off Location	JEF-2D68			
SUBJEC	T: Decisio	n on Termina	l Disclaimer(T.D.) filed:					
form par or have a	agraphs i any quest	dentified by th ions, please s	nis informal memo in your n ee me or the Special Progra	he results as set forth below. If you a ext Office action to notify applicant o m Examiner. THIS IS AN INFORMAL O OF RECORD IN THE APPLICATION I	of the T.D. If you disagree , INTERNAL MEMO ONLY.			
please in	itial, date	and return th	nis memo to me. THANK YO	u.				
<u> </u>	The T.D.	is PROPER ar	nd has been recorded (see 1	4.23).				
	The T.D.	is NOT PROP	ER and has not been accept	ed for the reason(s) checked below ((see 14.24):			
	П	The TD fee of has not been submitted nor is there any authorization in the application file for the use of a deposit account						
	Γ	The T.D. does not satisfy Rule 321 in that the person who has signed the T.D. has not stated the extent of his/her interest (and/or the extent of the interest of the business entity represented by the signature) in the application/patent (see 14.26 & 14.26.01).						
	Γ	The T.D. lacks the enforceable only during common ownership clause – needed to overcome a non-statutory double patenting rejection, Rule 321(b) (see 14.27.01).						
	Γ	The T.D. is directed to a particular claim(s), which is not acceptable since "the disclaimer must be for a terminal portion of the term of the entire patent to be granted" (MPEP 1490) (see 14.26 & 14.26.02).						
		The person who signed the T.D.:						
		is n	ot an attorney "of record" (see 14.29 and 14.29.01).				
		┌ has	failed to state his/her capa	city to sign for the business entity (s	see 14.28).			
		┌ is r	ot recognized as an officer	of the assignee (see 14.29 & possible	e 14.29.02).			
		No documentary evidence of a chain of title from the original inventor(s) to assignee has been submitted, nor is the reel and frame number specified as to where such evidence is recorded in the Office (see 37 CFR 3.73(b) and 1140 O.G. 72). NOTE: This documentary evidence or the specifying of the reel and frame number may be found in the T.D. or in a separate paper of record in the application (see 14.30).						
	_	The T.D. is not signed (see 14.26 & 14.26.03).						
	Γ;	The serial number of the application (or the number of the patent) which forms the basis for the double patenting rejection is missing or incorrect (see 14.32).						
			enting rejection is missing or incorrect (see 14.32). e serial number of this application (or the number of the patent in re- claimed is missing or incorrect (see 14.26, 14.27.02 or 14.26.05).		or reissue cases being			
		The period d	od disclaimed is incorrect or not specified (see 14.26, 14.27.02 or 14.26.03).					
	Γ	Other:						
	Γ		o request refund (see 14.36 heck this item.	i). NOTE: If already authorized, cred				
I have a	ppropriate	ely notified ap	plicant(s) of the status of th	ne Terminal Disclaimer filed in this ca	ase.			
Ex.Initia	ls:	Dat	te:		Log Date:			

Application Number	Application/Control No.		Applicant(s)/Patent under Reexamination DWASHI ET AL.					
Document Code - DISQ	Internal Doc		cument – DO NOT MAIL					
TERMINAL DISCLAIMER	☑ APPROVED		☐ DISAPPROVED					
Date Filed : December 14, 2007	This patent is subject to a Terminal Disclaimer							
Approved/Disapproved by:								
Henry D. Jefferson								

U.S. Patent and Trademark Office

PTO/SB/26 (09/-04)

Approved for use through 07/31/2006, OMB 0651-0031

United States Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING Docket Number (Optional) **REJECTION OVER A "PRIOR" PATENT** 500.34521CC3 In re Application of: Hitoaki OWASHI, et al 10/782,779 Application No.: Filed: February 23, 2004 For: METHOD AND APPARATUS FOR RECEIVING A DIGITAL SIGNAL AND APPARATUS FOR RECORDING The owner, HITACHI, Ltd. (As per the Assignment recorded on Reel 7971 and Frame 0746), of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term prior patent No. 6,321,025 as the term of said prior patent is defined in 35 USC 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, it successors or assigns. In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 USC 154 and 173 of the prior patent, "as the term of said prior patent is presently shortened by any terminal disclaimer," in the event that said prior patent later: expires for failure to pay a maintenance fee; is found invalid by a court of competent jurisdiction; is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321; has all claims canceled by a reexamination certificate; is issued: or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer. Check either box 1 or 2 below, if appropriate. 1. For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. 2. The undersigned is an attorney or agent of record. Reg. No. 29,621 December 14, 2007 /Carl I. Brundidge/ Signature Date Carl I. Brundidge Typed or printed name 703) 684-1120 Telephone number Terminal disclaimer fee under 37 CFR 1.20(d) included.

WARNING: Information on this form may become public. Credit card information should not be included on this form.

Provide credit card information and authorization on PTO-2038.

*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).

Form PTO/SB/96 may be used for making this certification. See MPEP §324.

The collection of information is required by 32 CP1 1.321. The information is required to cough or retain a tending tip to use which is to the (and by the USFTC to process) an application. Contains 3 U.S.C. 1.22 and 37 CP1 1.13 or 1.1. The softenion is estimated to take 12 minutes to complete, despring, or souring, or as souring for exception and speciation from to the USFT individual Calls. Any commercial on the amount of time you require to complete the form whose suggestions for reacting time submit, include to a sort to the CPI of information Officer, U.S. Please state Completes, P.O. Best 1.1. Application, Commission on the state of the USFT commission of the CPI of Individual Calls. Any commercial containing the CPI of Individual Calls. Any commercial calls are contained to the CPI of Individual Calls. Any commercial calls are contained to the CPI of Individual Calls. Any commercial calls are contained to the CPI of Individual Calls. Any commercial calls are called the CPI of Individual Calls. Any commercial calls are called the CPI of Individual Calls. Any commercial calls are called the CPI of Individual Calls. Any commercial calls are called the CPI of Individual Calls. Any commercial calls are called the CPI of Individual Calls. Any commercial calls are called the CPI of Individual Calls. Any commercial calls are called the CPI of Individual Calls. Any calls are called the CPI of Individual Calls. Any calls are called the CPI of Individual Calls. Any calls are called the CPI of Individual Calls are called the CPI of Individual Calls are called the CPI